

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Frontier Communications of America,
Inc. for a Certificate of Public Convenience and
Necessity to Provide Telecommunications Service
Including Basic Local Exchange Service

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2010 - 399 - C

(Please type or print)

Submitted by: Margaret M. Fox, Esquire

SC Bar Number: 65418

Address: McNair Law Firm, P. A.

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P. O. Box 11390

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Columbia, SC 29211

Other:

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☒ Telecommunications
☐ Transportation
☐ Water
☐ Water/Sewer
☐ Administrative Matter
☐ Other: _____

NATURE OF ACTION (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input checked="" type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form

MCNAIR
ATTORNEYS

March 18, 2011

M. John Bowen, Jr.

jbowen@mcnair.net
T (803) 799-9800
F (803) 753-3219

Ms. Jocelyn Boyd
Chief Clerk and Administrator
South Carolina Pubic Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Application of Frontier Communications of America, Inc. for
a Certificate of Public Convenience and Necessity to Provide
Telecommunications Service Including Basic Local Exchange
Service
Docket No. 2010-399-C

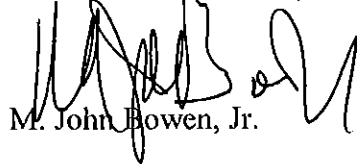
Dear Ms. Boyd:

Please find enclosed for filing on behalf of the South Carolina Telephone Coalition (the "Coalition") an executed Stipulation between the Coalition and the Applicant, in the above-referenced docket. In addition to filing this Stipulation, counsel for the Coalition withdraws the Prefiled Testimony of Brent D. Groome which was filed with the Commission on March 8, 2011.

Should you have any questions with respect to this matter, please do not hesitate to contact me.

Sincerely,

McNAIR LAW FIRM, P.A.



M. John Bowen, Jr.

MJB,Jr./rwm
Enclosure

cc: Parties of Record
Josh Minges, Esquire

McNair Law Firm, P. A.
1221 Main Street
Suite 1600
Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

mcnair.net

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

Docket No. 2010-399-C

Re: Application of Frontier Communications of)
America, Inc. for a Certificate of Public)
Convenience and Necessity to Provide)
Telecommunications Services Including)
Facilities Based Basic Local Exchange)
Service and For Flexible Regulation of)
Local Exchange Services and For)
Alternative Regulation of its Existing)
Long Distance Service Offerings)
Authorized by Order No. 96-611)

The South Carolina Telephone Coalition ("SCTC") (see attachment "A" for list of companies) and Frontier Communications of America, Inc. ("Frontier") hereby enter into the following stipulations. As a consequence of these stipulations and conditions, SCTC does not oppose Frontier's Application. SCTC and Frontier stipulate and agree as follows:

1. SCTC does not oppose the granting of a statewide Certificate of Public Convenience and Necessity to Frontier, provided the South Carolina Public Service Commission ("Commission") makes the necessary findings to justify granting of such a certificate, and provided the conditions contained within this stipulation are met.

2. Frontier stipulates and agrees that any Certificate which may be granted will authorize Frontier to provide service only to customers located in non-rural local exchange company ("LEC") service areas of South Carolina, except as provided herein.

3. Frontier stipulates that it is not asking the Commission to make a finding at this time regarding whether competition is in the public interest for rural areas.

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4. Frontier stipulates and agrees that it will not provide any local service, by its own facilities or otherwise, to any customer located in a rural incumbent LEC's service area, unless and until Frontier provides such rural incumbent LEC and the Commission with written notice of its intent to do so at least thirty (30) days prior to the date of the intended service. During such notice period, the rural incumbent LEC will have the opportunity to petition the Commission to exercise all rights afforded it under Federal and State law. Also, Frontier acknowledges that the Commission may suspend the intended date for service in rural LEC territory for ninety (90) days while the Commission conducts any proceeding incident to the Petition or upon the Commission's own Motion, provided that the Commission can further suspend the implementation date upon showing of good cause.

5. Frontier stipulates and agrees that, if Frontier gives notice that it intends to serve a customer located in a rural incumbent LEC's service area, and either (a) the Commission receives a Petition from the rural incumbent LEC to exercise its rights under Federal or State law within such 30-day period, or (b) the Commission institutes a proceeding of its own, then Frontier will not provide service to any customer located within the service area in question without prior and further Commission approval.

6. Frontier acknowledges that any right which it may have or acquire to serve a rural telephone company service area in South Carolina is subject to the conditions contained herein, and to any future policies, procedures, and guidelines relevant to such proposed service which the Commission may implement, so long as such policies, procedures, and guidelines do not conflict with Federal or State law.

7. The parties stipulate and agree that all rights under Federal and State law are reserved to the rural incumbent LECs and Frontier, and this Stipulation in no way suspends or

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adversely affects such rights, including any exemptions, suspensions, or modifications to which they may be entitled.

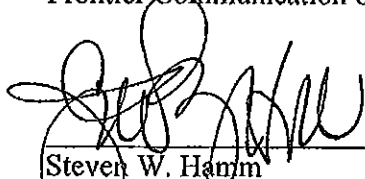
8. Frontier agrees to abide by all State and Federal laws and to participate, to the extent it may be required to do so by the Commission, in the support of universally available telephone service at affordable rates.

9. Frontier hereby amends its application and its prefiled testimony in this docket to the extent necessary to conform with this Stipulation.

10. Notwithstanding any provision contained herein, the terms, conditions, and limitations of the Stipulation apply only in those instances where a rural telephone company's federal rural exemption under 47 U.S.C. § 251(f)(1) is implicated.

AGREED AND STIPULATED to this 19th day of March, 2011.

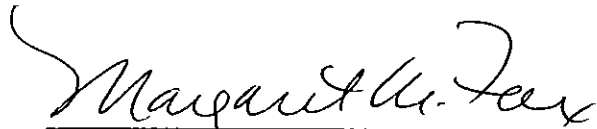
Frontier Communication of America, Inc.



Steven W. Hamm
C. Jo Anne Wessinger Hill
Richardson, Plowden, & Robinson, P.A.
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Columbia, South Carolina 29202
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Attorneys for Applicant Frontier
Communications of America, Inc.

South Carolina Telephone Coalition:

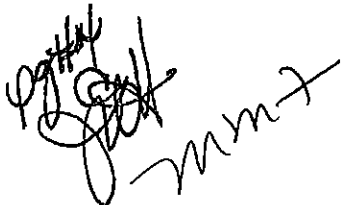


M. John Bowen, Jr.
Margaret M. Fox
Sue-Ann Gerald Shannon
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Attorneys for the South Carolina
Telephone Coalition

ATTACHMENT A
South Carolina Telephone Coalition Member Companies
for Purposes of Local Service Stipulation

Chesnee Telephone Company
Chester Telephone Company
Farmers Telephone Cooperative, Inc.
Ft. Mill Telephone Company
Home Telephone Company, Inc.
Lancaster Telephone Company
Lockhart Telephone Company
McClellanville Telephone Company
Norway Telephone Company
Palmetto Rural Telephone Cooperative, Inc.
Piedmont Rural Telephone Cooperative, Inc.
Pond Branch Telephone Company
Ridgeway Telephone Company
Rock Hill Telephone Company
Sandhill Telephone Cooperative, Inc.
St. Stephen Telephone Company
West Carolina Rural Telephone Cooperative, Inc.
Williston Telephone Company

Handwritten signatures and initials in the bottom left corner. There are several overlapping signatures, including one that appears to be "J. G. Smith" and another that looks like "mm7".

BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA

Docket No. 2010-399-C


Re: Application of Frontier Communications of)
America, Inc. for a Certificate of Public)
Convenience and Necessity to Provide)
Telecommunications Service Including)
Basic Local Exchange Service)
_____)

**CERTIFICATE
OF SERVICE**

I, Rebecca W. Martin, do hereby certify that I have this date served one (1) copy of the attached Stipulation in the above-referenced matter upon the following parties via electronic mail and by causing said copy to be deposited with the United States Postal Service, first class postage prepaid and properly affixed thereto, and addressed as follows:

Shealy Boland Reibold, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211
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C. Jo Anne Wessinger Hill, Esquire
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Post Office Box 11390
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March 18, 2011

Columbia, South Carolina